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A BRIEF REPLY

TO

THE FALSE AND SLANDEROUS

CHARGES,

MADE BY

BREVET LIEUT. COLONEL BALL,

OF THE U. S. ARMY.

AGAINST CERTAIN OFFICERS OF THE UNITED
STATES' DRAGOONS,

IN A PAMPHLET ASCRIBED TO HIM, AND CIRCULATED IN
A CLANDESTINE MANNER.

PHILADELPHIA—PRINTED,

1816.

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A REPLY
TO
THE FALSE AND SLANDEROUS CHARGES,
MADE BY
BREVET LIEUTENANT COLONEL BALL,
OF THE U. S. ARMY.

IF the character of James V. Ball, late a brevet lieut. colonel of dragoons in the United States service, could be known to every man into whose hands his slanderous publication may have fallen, or if the facts upon which the controversy between the officers and himself depends were known to the few persons into whose hands it was given, it would not have been deemed necessary by me, to have exposed to the world the numerous falsehoods with which his pamphlet abounds. The partial representation of mutilated facts, where I am unknown, could not fail to lead to deductions unfavourable to my reputation.— Entertaining a proper regard for the opinions of society, I have felt myself under an obligation, in justice to my own character, to examine the allegations which have been made, against me, and by making a proper developement of every occurrence to which allusion has been made, to place transactions in their

without any thing to mar our happiness, until, unfortunately for us all, the colonel's total incapacity and ignorance of his duty became obvious to every officer, at the moment when he put himself (for the first time since I had served under him) at the head of his squadron to march us to Chazy, to which place we were ordered early in August. From this time forward, his ignorance of duty became every day more painfully conspicuous to every officer serving under him: his vanity impelled him to render it more conspicuous to a large proportion of the army, by an *attempt* to manœuvre his Squadron with General M'Comb's brigade, on, I think the 23d of August; in which *attempt* he made it appear manifest, that he knew not even a single word of command correctly: this left to his officers the painful and mortifying reflection, that their commander, who ought to have been their teacher, and who boastingly professed to know every thing relative to his situation, actually knew nothing: that he was lessening the consequence and confidence of the corps to which they belonged, in the estimation of those with whom it might have to act, and to the rank and file of the corps itself.

The manner in which he compelled us to encamp —the method, or want of method, which he made us adopt in picketing our horses, although betraying an ignorance of military knowledge, that one might only expect to find among a people, less advanced in civilization than Hottentots, was all forgotten, all thought of his former conduct was absorbed in the feelings excited by this unhappy display of stupidity.

However, we continued to bear with all, patiently, and commenced our march with General Izard's division, to Champion, whence the squadron marched to Batavia, on its way to Buffalo. During this march, the colonel, and all the other officers as well as myself, were upon the most friendly terms—eating frequently from the same plenteously stored mess chest, belong to whom it might, and drinking in common out of the best filled canteen. *Mark well this friendly intercourse*, which I do not recollect to have seen, for a moment, interrupted, during the whole time I was under the colonel's command, until about the 5th of October; when he, unjustly as I supposed, confined a valuable sergeant of mine, (of any *crime* in this, he has been acquitted by a court of inquiry; wherefore I should not now introduce it, but that it is necessarily connected with similar and subsequent conduct of his, which will be hereafter mentioned, and that it goes to account for the hatred he conceived towards me.) This act of his occasioned the first coolness that I remember to have existed between us; and this only lasted, with me, until the cause of offence had ceased, with the release, by him, of my sergeant—about the 9th of Oct. when we arrived at Fort Erie. Feeling no longer any resentment towards him, forgiving and forgetting all that had passed, I went up to him to ask permission to leave camp, for a few hours; when I was answered: “*No, Sir*; I cannot grant your request, Captain Hall; I am about to place you under an arrest.” I was, for a moment thunderstruck; for this was the *first intimation* I had ever received, that my conduct had been, at *any time*, exceptionable; (vide

deposition of Lieut. Elliot, Appendix A, also of Lt. C. Wright, E.) Notwithstanding which, and the *friendly intercourse* before mentioned, this redoubtable colonel, whose soul is the residence of duplicity, was keeping a *Black-Book*, and had made a registry against me therein, from within a month of the time when I joined him; as will appear from a perusal of the charges that he exhibited, which will be set forth in the sequel—for his memory could not have retained the date and place of such insignificant transactions. To his answer, I observed, that my only regret was on account of the time which he had chosen for this arrest (for at this time we expected soon to meet the enemy) and immediately tendered him my sword; when he replied, that he would send his adjutant for it; which he did in a few minutes. I immediately applied to Gen. Brown, then commanding, (General Izard not having yet joined us) for a *suspension* of the arrest, until after the campaign, which was not expected to continue above ten days. General Brown immediately sent his adjutant general, Col. Gardner, to inquire of Col. Ball, the nature of the charges. Ball stated, that the charges were of so *serious* a nature that he could not agree to a *suspension* of the arrest; (vide appendix, K,) and indeed, in this *private* interview, represented my conduct as so *unardonably bad*, that the General did not feel himself at liberty to *suspend* the arrest; but declined acting in the case, observing, that General Izard would arrive in a few days, when he would refer it to his consideration. Thus did Ball, most falsely, and most basely misrepresent my

conduct to Col. Gardner, as will clearly appear when, I shall have produced his *serious* charges.

Between the time of my application to Gen. Brown and the arrival, a few days afterwards, of Gen. Izard, several officers, high in rank, waited on Col. Ball, to procure a *suspension* of the arrest; but none of them *ever*, with my *knowledge*, or *approbation*, made any *acknowledgments* or *promises for me*.

Upon General Izard's arrival, I instantly waited upon him, with the same application, that I had made to Gen. Brown; that is, with a request that he would *suspend* the arrest. With Gen. Izard, I had several interviews; and he must perfectly recollect that I invariably refused to make any concessions to Ball—this the General did propose, saying, “Really from *Ball's statement*, Captain, you are in the wrong” (at this time the charges had not made their appearance, although solicitations had been made for them by Captain Hopkins in person, and by myself in writing) upon my refusing, most positively to make the proposed concessions, the General ceased to urge me, observing, “that he would be very sorry to persuade me to do so if I considered it improper.” Thus the matter continued, when Gen. Bissell, who also interested himself in my behalf, sent for me, and observed that there was one way by which I could get my sword, *for the campaign*: It was for me to *consent* that Ball should withdraw the arrest, (which he was very willing to do) and that after the campaign, I might *demand* a court of inquiry; which, General Bissell de-

clared, could not be refused. I told him I had not yet seen the charges; and that, if I consented to the arrests being withdrawn, Ball would hereafter say, as he had already said to Col. Gardner, that the charges were of a very serious nature. The General replied, that he must produce the charges first, of course: consequently, Ball did produce the charges; and left them at Gen. Izard's tent, on the *fourth* day after I had been arrested. They were of the most contemptible nature, as will presently be seen: yet did this *creature* declare them to be of so *serious a nature*, that he could not possibly consent to a *suspension* of my arrest, until after the campaign! I was ordered to Gen. Izard's tent, where, upon a camp stool, lay Ball's monstrous charges. I then, for the first time, saw them; and here reader, observe the *serious charges* brought against me, by Brevet Lieut. Col. James V. Ball.

“Charges and specifications, exhibited by Lieut. Col. Ball, against Capt. Henry Hall.

Charge 1. Disobedience of orders.

Specification 1. In not attending to the cleaning and feeding his horses, at the mid-day cleaning and feeding hour, at Chazy, New-York, on the 18th August, it being a breach of a *Dragoon* order, dated Plattsburgh, 1st June 1814, and a breach of a *dragoon* order dated, Camp Chazy, 17th August 1814.

Specification 2. In refusing to permit the waggon, containing the hospital stores, and the baggage of the

field and staff of the squadron of dragoons to cross, at the Ferry at Buffalo, New York, before the other baggage of the squadron was crossed; in direct violation of my order, delivered to him, through the acting adjutant of the said squadron, on the —.

Specification 3. In not turning out to attend to the cleaning and feeding of his horses, at reville, at Fort Erie, on the morning of the —, as directed, by the *dragoon* order, dated Plattsburgh, 1st June, 1814, and the *dragoon* order, dated, Camp Chazy, 17th August, 1814.*

Charge 2. *Contempt* or disrespect to the orders of his commanding officer.

Specification. In lying *on his back*, in his tent, with the walls tied up, which exposed him fully to the view of his troop and his said commanding officer, during the hour of cleaning and feeding his troop, on the 18th August, at Chazy, in the state of New-York, in *contempt* to a *dragoon* order, dated at Chazy, August 17th 1814.

Charge 3. *Disrespect* to his immediate commanding officer.

* W. Tyndall Major of the first Regt. of Life Guards, says page 2.

"The Troop duty of the *subalterns* is to command and inspect the non-commissioned officers and their squads; to attend to the *feeding*, *shoeing* and *physicing* of the Horses."

Again page 4—"The orderly officer's duty, is to be always ready to attend the commanding officer at a minute's warning; to visit the sick men and horses, &c." Yet Col. Ball by his orders, makes it the duty of *every* officer to spend at least three hours a day in the stable—in fact, compelled us to do the duty of non-commissioned officers.

Specification. In treating with *disrespect* his said commanding officer, *by words and gestures*, while in the execution of his duty at Boonville, New York, on the morning of the —.

Charge 4. Repeated disobedience of orders and neglect of duty.

Specification. In repeatedly neglecting to attend to his troop at the stable hours, while on the march from Champion to Buffalo, in the state of New York, in disobedience of a *dragoon* order dated Camp, near Champion, 21st September, 1814.

JAMES V. BALL,
Lieut. Col. Dragoons."

Here I would remark, that I have strong reason to believe, that Col. Ball sent to the war office, charges different from the above, and purporting to be copies of the original (which are in his own hand writing, and now in my possession) and endorsed upon them, *that they might differ*, from the originals, which were made out *in a hurry*, (he was four days about it) or something to that effect. But whatever amendments or exaggerations Ball may have made, still they appeared to the Secretary of War, to be of a most frivolous malicious nature, and unworthy the attention of a court of inquiry, (vide appendix J. and L.)

Having read the foregoing charges, I agreed to say to Ball, which I did, in the presence of several officers, that "I never had intentionally disobeyed

his orders ; or, knowingly treated him with *contempt*, and that I would obey his orders.” What else could I have said, it was a fact that I never had disobeyed his orders, and it was also a fact, that as my superior officer *I was bound* to continue to obey him ; feelings I could not keep but they were repressed from a sense of public duty.

But, *upon no terms* would I consent that the charges should be withdrawn, until Gen. Izard promised that I should have a court of inquiry, so soon as the contemplated operations would permit.

About the 22d October, the army encamped, on its return from Chippewa, opposite to Black Rock. So soon as I heard that Major General Brown, with his division, was about to recross the Niagara, on, I think, the 24th, I waited upon General Izard, and requested the court of inquiry that he had promised me ; stating to him, that as Major General Brown’s division was about to recross the Niagara, and I had been arrested in the face of the whole army, I wished for a trial before it was divided ; he replied, that I could not then obtain a court of inquiry, as the movement which the army was about to make, would render it impracticable—but assured me I should be satisfied at another period.

When General Izard’s division had followed Gen. Brown’s, across the Niagara, I once again waited on him, and reminded him of his promise to grant me a court of inquiry, he again assigned some excuse for not ordering one ; renewing his assurances, that I

should be gratified, when the men were comfortable in their huts. About the 1st November, finding that General Izard, from pressure of business, or some other cause, had not yet ordered the court of inquiry, so often promised, and hearing the dragoons were about to be marched from Buffalo, where the chief part of his division was stationed, and knowing that some of the dragoon officers, (all of whom were my witnesses) because of indisposition, and for other reasons, expected furloughs; I again applied, through the assistant adjutant, Adj't. Gen. O'Connor, to Gen. Izard, for a court of inquiry. I was informed by the Adjutant-general, Col. Charles K. Gardner, that the General endorsed upon the written application of Major O'Connor, "This request shall be granted, so soon as the service will permit" or in words to that amount; (vide Appendix G.) yet we the dragoons, were permitted to march to Williams-Ville, eleven miles from Buffalo, and thence, to the Genesee river, where we halted, without this so often reiterated promise being complied with. Colonel Gardner's letter (see appendix G.) will shew that I was extremely desirous to have a court of inquiry upon the Colonel's charges.

Having shewn how repeatedly and ineffectually I applied for a court of inquiry, and how solicitous I was for an investigation of my conduct, I shall proceed to make an application of evidence relative to the charges brought against me.

I will admit, that though the orders, with a violation of which I am charged, were not promulgated to the

squadron after I joined it, yet they were binding upon me; and it was my duty to have become acquainted with them, *provided* they had *ever* been regularly and legally published: this however does not appear to have been done: Lieut. Elliot, (vide appendix D.) says, that he had seen them, but never heard of their promulgation; and lieut. Wright deposes (vide appendix E.) that he did not remember that they were ever promulgated, and that they *never were read on parade*. How venial then must have been my conduct, granting it to have been in violation of his orders, which were, in fact, without publication, mere nullities! But conceding their publication, in what light does my conduct appear? Let the depositions marked D. E. and F. answer this.

Relative to the second specification of the first charge, I would observe, that in advancing towards an enemy the baggage should be in the rear, and next after the troops, it is the order of march for the ammunition to precede all other articles appertaining to an army; then comes the baggage of companies or troops, according to their numerical order in the line, in the next place comes the baggage of the *field and staff*; next and last of all the subsistence in order, is the hospital. This will be found to be the order of march, from a reference to military works. The grounds of this specification were the *true* cause of my arrest.

Could I have obtained the court of inquiry, I was promised, that I expected, and that I was entitled to —I could have proved the *impossibility*, from a com-

bination of circumstances, of executing this *selfish order* of the colonel's, which, could I have obeyed, I would, as in duty bound, have done—although the result would have been, that my troop, one hundred and upwards strong, (and some of them sick) would have been compelled to have lain without shelter, “*in the frost,*” as the colonel did (by the by, the colonel's tent arrived in camp before 11 o'clock at night, but his *temper being up*, he would not have it pitched) this was the *real cause of my arrest!* Had he *condescended* to have asked me the reason, of his baggage not having crossed, agreeably (*as he says*) to his orders, *before the troop baggage*—I could have satisfied *even him* of the impracticability of my obeying his (pretended) order—but no—he, from some cause, to me unknown, had conceived a hatred for me, and selected the time he thought most likely to wound me—we all expected a renewal, on the same theatre, of the gallant scenes so short a while before exhibited, on the Niagara frontier, [and he determined to deprive me of any chance of participating in them. The best comment that remains to be made, will be found in the appendix E. and F.

Upon the third specification, captain Hopkins' deposition, (appendix F.) will be a sufficient remark. It will be seen there, that the *generous* colonel, *excused* lieut. Anspach, (who had been upon duty *with me* the two preceding nights) from attending stable duties at revelle, on the morning of the — at Fort Erie—but brings it against me in this specification of his first “*serious charge.*”

Respecting the second charge and its specification, I will remark, that the position of which it complains, was that which, according to its own showing, gave me an opportunity of attending to my troop, from the place where I was—but the *order itself imposing* the duty, with the *breach of which* I am falsely charged, was unmilitary.—Vide also, Appendix D. E. and F.

The third charge and specification will be sufficiently answered by referring the reader to Appendix E. but I will briefly add, that the Colonel, who is so *very fond of fighting* (see lieut. John L. Elbert's deposition Appendix A.) permits me to treat him with “*contempt*” and “*disrespect*” at sundry times, without his taking the smallest notice of it, by “*word or gesture,*” for two months ; and then, the notice he does give it, is to select a time best calculated for his malicious purpose, to arrest me for “*treating him with contempt,*” repeatedly—*Poor colonel ! Alas ! poor colonel !!!*

Upon the subject of the fourth charge and specification, I will refer the reader to the Appendix D. F. indeed I would refer to the Appendix, generally for information respecting the charges.

Colonel Burns' letter (Appendix H.) will speak for itself.

Ball is a cringing, fawning, hypocritical sycophant to his superiors; he is a *pleasant* companion to those who will fawn upon *him*, but a *tyrant* towards those whom he cannot induce to desile their tongues with falsehoods, by extolling and puffing him into notice.

Ball appears to attach great importance to my having stated, that a certain horse was in a lot with public horses, upon a particular day: Does it appear to any man impossible that he should have been *there*, as I stated, and *afterwards* purchased out of a *stable*, as Ball asserts? Does it seem impossible that his assertion and my statement should be reconciled? Or is it not within the pale of *probability at least*, that, admitting him to tell the truth, what I stated was not inconsistent with truth? The fact is, that *this horse*, among others, *had been offered to captain Hopkins and myself*, or at least such is my present impression; and though he was sold to major Appling for one hundred dollars, was, in our estimation, of so little value that we refused to take him for a dragoon horse.

Respecting the false report of carpenters, a circumstance upon which he lays much stress, I would observe that many men (by the *improper orders* of Ball) were transferred to my troop, *unaccompanied by descriptive lists*—and this Ball and every officer of dragoons is acquainted with. When called upon to report the number of carpenters in my troop, I sent my acting orderly sergeant, Aquila Brown, to find out the number: he made his report to me—this report I sent to Colonel Ball. When the men detailed were put to work, they proved to be only good axe men.—(vide Appendix C.) Every officer in the army, and I doubt not, all persons who read this statement and sergeant Brown's deposition, (Appendix C.) will at once declare, that the method I adopted was correct, was the only one left me, and will instantly

acquit me of having either made a false report, or been guilty of gross misconduct—as to my ever having confessed either the one or the other, as Ball states—it is most basely untrue.

The difference between the statement of sergeant major Grimes and mine, relative to the employment of Harvey upon Ball's hut, can be abundantly accounted for, without any difficulty.

Harvey was detailed for *colonel Ball's fatigue*, (vide Appendix C.) after he had left my command for that of the sergeant major's, there might have been some new arrangement made respecting his duty: with this circumstance I was not, nor could I be acquainted: I only knew (and it was not my duty to know more) that he was detailed as above stated. Suppose it conceded as a fact, that I was deceived relative to the exact quantity of work performed by Harvey, upon the colonel's hut, which might have happened, as I was, during a great portion of the time, while we were hutting, upon the sick report, and when well, seldom approached his hut, (in consequence of his ill conduct towards me)—does this go to prove that he was not there, while the men were suffering from exposure to the inclemency of the depth of winter, having no other protection than tents? (vide Appendix B. and C.) The colonel, after laboring hard to make *something* out of this circumstance, mars his whole work by saying—“ And with this fact *had* captain Hall *have* done his duty to his troop, he must have been acquainted.” Here the colonel's

native *ingenuity* appears to have forsaken him, for he admits, by implication, that it was at *most* only a *mistake*: indeed it is self-evident, that if I was wrong in my statement relative to the work done by Harvey for the colonel; that it was, as the colonel admits, a *mistake*; *for Harvey himself*, and hundreds of others, *were on the spot*, whom I must have known, would have been produced against me.

And here let me remark, that he has charged every officer who has given testimony against him, with forgery; and I verily believe that had every officer in the United States army appeared against him, he would in like manner, have brought the charge against them all, and have supported it as he has done in the present case—*by false and exparte testimony, by a distortion of facts, and by mutilated records.*

However disagreeable the task, and however reluctantly I undertake it, yet it is imperiously my duty to shew that, though it was not satisfactorily proved, that colonel Ball behaved cowardly upon an occasion whence he has tortured his brain to infer grounds of censure upon captain Hopkins and myself, he is an errant *coward* and *poltroon*; and to set forth my reasons for now *proclaiming* him to be such: this I shall do after narrating some facts relative to the passage of the Niagara. They were as follow: Some time during the month of October, 1814, while we were crossing the river, coming over into the United States, some British dragoons were discovered reconnoitering us. Ball, when the fact was ascertained, jumped

into a large boat which I had just procured to facilitate the transportation of my troop, and in a vociferous manner, with apparent trepidation, damned the men that were in it, ordering them to make more haste ; and did depart thus, before the boat had taken in much more than half the number of men and horses that it could and ought to have carried : thereby increasing that delay which he affects to think highly blameable ; and which he has brought into notice merely to divert the attention of the community from his own misconduct, in leaving his command, at a time when, *had he been a man of military science*, he would have perceived that his presence *might* have been necessary, and all principles of duty demanded of him to remain. I perfectly accord with the colonel, that the apprehension of danger at such a time ought not to be taken as a proof of any man's bravery, but I would ask the world to judge of such conduct exhibited by the colonel upon such an occasion.

In the following statement of facts will be found the reasons that have convinced me that colonel Ball is a man of that cowardly character which I have ascribed to him. He had *very frequently*, during *some happy convivial* moments of the evening, in the presence of his officers, declared himself willing to give any of them personal satisfaction, should he give them cause of offence (*vide appendix A.*) Finding that there was no probability of my receiving satisfaction through the medium of a court of enquiry ; since I had so repeatedly and vainly applied for one—and feeling myself injured by his conduct towards me—his endeavoring

in secret to poison the minds of my superior officers, and blacken my character in the estimation of the army, I addressed to him the following note :

" Dragoon camp, near Avon, 21st Nov. 1814.

" SIR,

*" For the repeated injuries you have done me, if I demand satisfaction in the *usual way*, will you waive rank, so as to put yourself on an equality with me ?*

" yours, &c.

" HENRY HALL.

" Lieut. Col. James V. Ball."

Receiving no answer to the above note, I three days afterwards again addressed him thus :

" Dragoon camp near Avon, Nov. 24, 1814.

" SIR,

" On the 21st inst. I addressed a note to you, which has not yet been answered ; let your determination be as it may, I am, as a gentleman, entitled to a reply.

" yours, &c.

" HENRY HALL.

" Lieut. Col. James V. Ball."

In answer to which I received the following :

" Dragoon camp, Avon, Nov. 25, 1814.

" SIR,

" It is in vain to expect any other answer upon the subject of your letter of the 21st inst. until I am

made acquainted with the grounds of your complaint.

“ I am unconscious of having done you an injury, or even of giving you cause of the slightest displeasure, nor can I conceive what the many injuries are, unless you contest my official acts, viz. speaking to you upon points of duty, arresting you for disobedience of orders and neglect of duty, and sending to you to desist, when violating the known and established military rule of not permitting the discharge of fire arms in camp,* into injuries ; for such acts I am accountable to my government only.

“ Yours, &c.

“ JAMES V. BALL, *Lieut. Col.*

“ *Capt. Henry Hall—Present.*”

To which I immediately replied—

“ *Dragoon Camp, Avon, 25th November, 1814.*

“ SIR,

“ Your letter of this instant has just been handed to me. You say—“ It is in vain” for me “ to expect any further answer upon the subject of my letter of the 21st instant, “ until” you are “ made acquainted with the grounds of my complaint.””

“ I did not think you could possibly be at a loss for “ the grounds of my complaint ;” but as you have

* Note.—It was not myself, but another officer, that was firing at the time I received the colonel’s message ; I did not tell him that I was not the person. On this score I had no complaint.

assured me you are, you shall no longer remain in ignorance.

“First—Your arresting me upon the first day of my joining a division of the army, to which I was a *stranger*, and upon charges the most frivolous, which I could have proved to be so, had you not kept me in ignorance of the charges until it was too late to procure a court; to wit, for four days, and to chagrin me still more, the time *chosen* for this arrest was when we were daily expecting to march and meet the enemy.

“Secondly—Your opposition to my getting a *suspension* of the arrest; stating to colonel Gardner, adjutant general, that my conduct was such as to render it impossible for you to get your squadron on with me—and

“Thirdly—Your telling major general Izard, that I had reason, for a long time, to expect my arrest, before it took place; when so far from it, my astonishment was never more excited, than when told, a *few minutes* before the arrest *was served*, that I was about to have my sword taken from me.

“These, sir, are “the grounds of my complaint;” could they be more weighty? To have my character blackened in this manner to the two chiefs of the army, whose good opinion it was my duty, as well as most earnest wish, to merit?

“These, sir, were the injuries which produced my

note of the 21st, and to which I now wish your answer.

“Yours, &c.

“HENRY HALL.

“Lieut. Col. James V. Ball.”

Ball, after having *invited* a challenge (vide Appendix A.) and *cowardly* refused it, went with the tale, school-boy-like, to General Izard. It was not until after this time, that I (no longer entertaining any hope of having a court of enquiry upon my conduct, and thereby obtaining a refutation of my enemy’s *serious* charges, or of receiving personal satisfaction from the recreant Ball) addressed a memorial to the secretary of war, which produced his observations, contained in the Appendix J. and L.

Ball, in the 23d page of his book, in relating what he calls the *motives* of his *accusers*, says, that I did not *regard* my *pledge*, or keep my *promise* inviolate, after I was *liberated* from my arrest. What my pledge was, and the nature of my promise, have been heretofore related. (Vide page 16.) How the one or the other has been violated, the public may determine. The *insinuation* contained in his assertion, that I was *liberated* from the arrest, is intended to deceive, and covers a *low cunning* intention to make an impression that at the time I *received* my sword, I also, received from *him* a *pardon* of my *heinous transgressions* against the military laws of my country, and my *repeated manifestations* of *CONTEMPT* for *him* and his *orders*! How gross a violation of candor, and how

gross a violation of truth ! But it is just what might be expected from him who has bid adieu to all the honorable feelings of a gentleman.

Prosecuting his exposition of motives, he attacks Captain Hopkins, saying—" He," Captain Hopkins, " knew me to be in *possession of the fact*, that two horses, which he kept, &c. as private property, were public dragoon horses—that he ~~PRYED~~ into his having converted leather, drawn for the use of his troop, to his own use," &c. Mean, unprincipled creature ! He was in possession of the fact, and yet associated with Captain Hopkins, and boasted of his friendship—instead of bringing him to an account with his government, and to exemplary punishment ; he suffers this gross misconduct to sleep in oblivion, until his revengeful disposition is excited into action by the endeavor of Hopkins to bring him to account for his (as he supposed) improprieties of conduct. I say associated with Hopkins—yes, *for years*, after he had been " in possession of the fact ;" for, if I am not much mistaken, Hopkins was in possession of, and claimed the horses Ball speaks of, from 1812, when he entered the service, *under Ball*—I know I never heard *a doubt* of their being Hopkins' horses, for the twelve months I served with him *and Ball*, until after Hopkins had drawn up the charges against Ball. And I well remember, that when Ball excited this doubt, that Hopkins satisfied every officer (that he conversed with on the subject) of his right as fully, to those horses, as he could to the *coat on his back*. He had ~~PRYED~~

into the affair of the leather too ;—and for what purpose? That he might be tried and punished for it? No ; for he never charged him with it, until he found that the captain had united in a memorial to the secretary of war, requesting an enquiry into Ball's conduct: this was what called these circumstances before the world, if they ever existed.

The facts of this leather are simply these: Hopkins and Wright had procured furloughs to go to Washington, and were as destitute of money as officers at many hundred miles distance from home, without having *seen* a pay-master for *many months*, might be expected to be. A *portmanteau* was necessary, both for Hopkins and Wright—Hopkins, from his anticipated long journey, could not spare money to purchase leather; he, therefore, spoke to the quarter-master of our regiment to purchase *for him* the requisite leather —he did so; and Hopkins had his portmanteau made.

When Hopkins returned, upon the expiration of his furlough, he *paid* the quarter-master *for the leather*, and took his receipt for it. Long *after this*, Ball arrested Hopkins, and to his charges (in each of which was nothing but malice displayed) added this as an instance of peculation!

Hopkins, from the approaching reduction of the army, could never procure a court martial. He returned home, but he carried with him proofs as strong “as holy writ” of his innocence of this charge.

This *prying* colonel is really much indebted to me for stopping his charge against Wright, for an improper use of public leather—for *he* knows that *I prevented* his bringing this charge *against Wright*—which would, upon a true statement of the case, have *added* to his *disgraced* condition.

I will here inform the public that I am not writing the defence of either Captain Hopkins, or any of the other officers (myself excepted) so shamefully attacked by Ball—so far from it, although I have repeatedly written to Hopkins (from my not knowing his address) I have never heard from him since we separated at Avon, New York, in June, 1814; and of the address of many of the officers (whose testimony would be valuable to me), I repeat, I am ignorant. I verily believe Hopkins has *never seen* Ball's pamphlet—for I know him to be in possession of facts, which, if he gave publicity to them, would eternally damn Ball in public opinion. Wright, I know by a letter a received from him, had not seen Ball's pamphlet in June last, if he has *since* seen it. Ball, I strongly suspect, did not publish more than twenty-five of his *books*. But let him have published whatever number he may, he took *good care* to whom he distributed them, and it was by the merest accident in the world that *one* of them fell into my hands, and I never, with every exertion I could make, could procure another copy to send to Hopkins or Wright, or to any of the other officers so infamously attacked.

I assert, that if captain Hopkins thinks Ball's book worthy a reply, he can refute every charge Ball has brought against him.

It is difficult to assign the cause which could have urged the colonel to quote captain Hopkins' private letter to him, bearing date 4th April, 1813—certainly nothing could have justified this violation of confidence. If the colonel had desired that captain Hopkins' opinion of him, at a certain period, should have been known, he might have published extracts from it, without exposing to the public eye, the whole of a communication, written in the unrestrained freedom of friendly intercourse, and *evidently* intended as *private*. But this circumstance is truly characteristic of the man.

That lieut. Wright kept more horses than he was entitled to have, supported at the *public expense*, was known to the whole camp, he never attempted to make it a secret ; and it was as well known that he intended to account with government for the keeping of such horses as exceeded the number which the regulations of the army allowed to him. Quere—whether was his conduct, in that behalf, of so reprehensible a nature as that of him, who, not having horses of his own, rode the *public dragoon* horses ? Wright always declared that government was indebted to him for forage he had furnished a mounted party of dragoons, while he was on the eastern shore of Maryland, on the recruiting service. If there had been any impropriety

in Wright's conduct, would not this *immaculate* colonel have arrested him for it? Ball will not deny that he, for a long time, rode a public dragoon horse of my troop, not having a single horse *in service*, if he had one in the world.

Lieutenant Watts, of whom Ball speaks in such disrespectful language, was aid to general Scott, was at the battle of Chippeway, when he behaved himself gallantly, and was at the sortie from Fort Erie, where his conduct was such a to procure him a brevet.

That lieutenant Sterling *was raised from the ranks*, is a *rank falsehood*—and as to *deficiency* of intellect, let his letter in the Appendix (M.) speak. He was an excellent drill officer, a complete disciplinarian, and could have taught Ball his duty, if pride would have permitted him to take lessons; though he was shamefully deficient.

The colonel has accidentally told the truth, when he himself brings the “*serious*” charge against Sterling, of being an Irishman. His objection to poor Sterling upon this score, must be of that gentlemanly, liberal, and benevolent kind, which has on more than one occasion been manifested against the talents and genius produced on the beautiful little oppressed spot from which he came; for he cannot object to him simply on account of his being a foreigner—for two of his own honorable witnesses, Parris and Rowland, have this unpardonable sin to answer for; the for-

mer is a Dutchman, and unfortunately for himself, without one good principle—the latter is a Frenchman, and Parris is an angel compared with him in honesty.

Lieutenant Anspach, after serving, for *five years*, in the regiment of dragoons, in the capacity of a sergeant, was, *upon the recommendation* of officers of that regiment, commissioned. This circumstance, if it proves any thing, proves neither a *deficiency of intellect* nor *want of principle* (unless we should suppose that all the officers, who recommended him, were such men as Ball would fain have the world believe him to be)—but as evidence of his merit, lieutenant Anspach, has at least once, and I believe twice, been spoken well of in general orders, for his conduct in action. How ungenerous it is, to say the least of it, to judge of a man's worth from his former situation in life; how many instances are to be found upon record, of men who have risen from obscurity to the most eminent, as divines, as statesmen, in the *field*, and at the bar, Ball's observations, though they flowed, not from want of generosity alone, but from that united to the malevolence of his disposition, and a dire and malignant thirst for revenge.

Cornet Caldwell was also commissioned, in consequence of his good conduct, after having served twelve months as a sergeant in the second regiment of dragoons. What Ball's opinion of him was, before he forfeited it in the performance of what he conceived to be a duty, may be discovered in Appendix A.

The circumstance of the wanton outrage at Lima, (so called by Ball) was simply a fracas between lieut. Sterling, lieut. Anspach, cornet Caldwell, and sword master Sandford, with some of the citizens of that town. The officers were overpowered by numbers, and being unacquainted with the citizens of that country, were not able to give the excessive security required, (of, I think, several *thousand* dollars) and were consequently committed to jail—where, after remaining some time, and the *true statement* of the case becoming understood, two as respectable citizens as any of Canandagua, and who were *total strangers* to the confined officers, voluntarily became their security for their appearance. The officers appeared at the next term, stood their trial, and the heaviest fine imposed on any of them was *fifty dollars*. A very important witness on the part of the officers had left the neighborhood.

The colonel himself is not “without his merit” in a similar story—for an “outrage” he committed on a citizen of Rome—he was pursued by a sheriff, and if I am not *very much mistaken*, was *advertised* as a *fugitive* from justice, and a reward offered for his apprehension.

I will now bestow some little attention to *such of the witnesses* as I am acquainted with, whom Ball parades in his appendix.

The first gentleman who appears to be a candidate for notice is Abraham Bishop, who was notorious to

the whole squadron, as a most egregious *thief and liar*. He was once taken by captain Hopkins as a waiter, and during his service in that capacity, not only purloined the captain's clothes, but actually stole some small towels belonging to the tavern-keeper where captain Hopkins boarded—all of which were found upon him,

Then comes John W. Duffy, a man destitute of all sense of moral rectitude—scarcely capable of discriminating between right and wrong; and when he perceives the difference, acting as may conduce to the immediate gratification of a strong propensity to intoxication with which he is afflicted. He was *broken* from being a serjeant for *conniving* at the stealing of some geese—in the benefit of which he *heartily* partook. He has been heard to say, he would *swear any thing* for whiskey enough !!

Next appears Owen Fuller and *Josiah* Patterson, *two sutlers!!*

John Parris next presents himself—a fellow who deserted from Carlisle, Pa. was got back into the army, appointed trumpet-major by *Ball*, (who had a knowledge of the circumstance) and finished his military career by desertion. How ought we to appreciate the deposition of him who has in two instances violated the *solemn obligation* in which he bound himself to us upon the awful presence of Almighty God.

He next produces the deposition of William Eldridge, a *broken* serjeant—a man of the weakest capacity.

Of serjeant-major Grimes, it is no more than due to justice, to say, that he is a man of correct deportment. It will be remembered that his deposition is so explained by that of Cornet Caldwell and also serjeant Brown, as to do away the apparent contradiction between his relation and what Ball in his 32d page makes me say. I repeat; makes me say—for I have no other record of my words than Ball's statement. However, I could wish that he would (as he might have done) produce the whole of the proceedings of the court that sat upon his case; that the public might judge, from the testimony then recorded, of the purity of those motives, by which the "combination" was actuated, and determine whether the duty of these officers who signed the memorials to the secretary of war and preferred the charges against him, did not imperiously demand it of them?

If Colonel Ball had *really* been actuated, as he says he was, by a desire to make the public "acquainted with the manner in which the officers of the army" (meaning himself) "have discharged their trust;" why did he not publish an *entire* statement of the proceedings of the Court of Inquiry held on him, instead of setting before the public a mutilated and false statement of facts. I do not, for a moment, mean to reflect on the members of the court that sat on Col. Ball—but honorable men may differ, and I venture to assert, that if Col. Ball had set forth the whole of the proceedings of the Court of Inquiry in his *book*, that *admitting* the public concurred in the decision that the court gave, it would be generally

agreed upon that the colonel had escaped by an hair's breadth, that his danger was ten fold more dangerous than what it was, when contending with a *crippled Indian* whom he has so often boasted of having killed "with this my sword," that the welkin has been made to ring with deed.

Ball has paraded with an affected air of triumph, several depositions, to prove that he had never acted cruelly and tyrannically towards the men, (unfortunately) under his command. Beyond the time when the Court of Inquiry found him innocent of having done so, I will not search for proofs of such conduct in him, but it will not violate any principle of delicacy to look among his acts subsequent to that time, for such an instance of tyrannical and barbarous violation of the feelings and rights of American soldiers and citizens as would excite the indignation of not only freemen but the most abject slaves to a despotism.

Reader, it is unnecessary to pursue this odious transaction, which can hardly be thought of with equanimity through all its details; but for a proof of the facts, I will refer you to the deposition of serjeant Aquila Brown, and the observation upon that of George Cunston (appendix C) also to the letter of Lieut. Sterling, (appendix M) who were all there in the camp at the time of its occurence.

Having already bestowed a greater portion of my attention upon Ball and his book, than they are intrin-

sically worth, I shall after a few more words, bid adieu to them both.

This publication can't be ascribed to no other cause than a vindictive disposition which hesitates not to descend to the level of falsehood and calumny, in order to asperse the characters of those who have endeavored to represent his conduct to their government in its proper light, and to bring him to justice and punishment. Although a disgrace to the army, it was probably his object to regain the favorable opinion of his superiors which his conduct had forfeited. He may, perhaps, have entertained the delusive hope that he might be able to convince the world; and, among others, the secretary of war, that he is an innocent and injured man, and thus open a door through which he may again step into commission wherever a vacancy may occur. But I hope, for the honor of the army, that, if he does entertain such an expectation, it may prove as delusory as he is unworthy and *infamous*.

Since writing the foregoing, I have learned that Lieut. Col. Ball has again been reinstated in the army. An event I *sincerely* deplore. There are men of *his grade* who have been left out in the reduction of the army, who are above suspicion, and whose merit surpassing *Ball's opinion of himself*.—Whereas *this Ball*, is cursed for his cruelty by *hundreds* of those men he commanded, is suspected by them of cowardice, and was always subject to their ridicule for his total ignorance of duty.

APPENDIX.

A.

Hopton, March 13, 1816.

Dear Hall,

I received your letter a few days ago ; and can, with much truth, answer the different questions you have asked. Your first question is—"Have you not frequently heard Col. Ball say that, when at the head of his squadron, he would be obeyed : but, that the moment his foot was out of the stirrup, *he was not Col. Ball, but Mr. Ball* ; and that, if he offended his youngest cornet, he held himself personally responsible to him ; or, in other words, *clearly convey the idea that he was ready to fight them on all occasions?*

Answer. I have heard him frequently say so.

Question. Did you, at any time previous to my being arrested see any change of conduct in Lieut. Col. James V. Ball towards me, that could possibly induce you to think that he looked upon my conduct in an exceptionable point of view ?

Answer. I am certain that *I never did*.

Question. Had you, at any time, reason to suppose that he intended to arrest me, until he declared his intention on the morning when I was arrested ?

Answer. I never had.

Question. Do you believe that I ever had the least intimation that I was likely to be arrested 'till a few minutes before I was pounced upon ?

Answer. No.

Question. If I had received such intimation, are you not certain that I would have made you acquainted with it ?

Answer. I am sure of it.

Question. Have you not frequently heard Lieut. Col. James V. Ball say, that he thought Cornet John Caldwell, his acting adjutant a very good and attentive officer?

Answer. I have, frequently.

State of Maryland, } Be it remembered that on this 29th
Talbot County, s. s. } day of March, Anno Domini, one
thousand eight hundred and sixteen, before me the subscriber,
one of the justices of the peace of the state of Maryland, in and for Talbot county, personally appears John L. Elbert, Esq. formerly of the United States' dragoons, and makes oath, on the Holy Evangelists of Almighty God, that the several and respective answers to the above and foregoing interrogatories are true, to the best of his knowledge and belief—Sworn to before

JOHN STEVENS, Jun'r.

B

Question put by Henry Hall, Esquire, of Maryland, late a captain in the regiment of light dragoons, commanded by Col. Burns, to John Caldwell, late a cornet in said regiment, now residing in Montreal, province of Lower Canada.

“Do you not well remember that Harvey, a carpenter of my troop, was a great deal employed about the huts of Brevet Lieut. Col. James V. Ball, at Avon, New-York, when his labor was much wanted upon the huts of the men?”

Answer. I do well remember that the said Harvey was most of his time employed in and about the said Col. Ball's huts with others, before the huts of the men were in any state of forwardness, and while the men were living in tents in winter.

JOHN CALDWELL.

Montreal, 19th March, 1816.

Sworn before me, this day, as Public Notary, by Mr. John Caldwell, above mentioned.

JOS. DESAUTELS, Not. Pub.

C

Questions put to Aquila Brown, and his answers to them.

1. *Question.* Were you not attached to Capt. Henry Ball's troop, from the time when he resumed the command of it at Plattsburgh, in July 1814, until he left the army at Avon, New-York, in June 1815?

Answer. Yes.

2. *Question.* Was not Harvey a carpenter of Captain Ball's troop, kept, during the time we were building the huts at Avon, New-York, on Lieut. Col. Ball's fatigue?

Answer. Yes.

3. *Question.* Have you not, frequently, seen Harvey at work on Col. Ball's quarters while we were building our huts at Avon?

Answer. Yes.

4. *Question.* What were the reasons why Capt. Harris's troop crossed the Niagara River on the—day of—before either Capt. Hopkins's or Capt. Hall's troop?

Answer. For the following reasons: First—Captain Harris's troop had not half as many horses as either Captain Hopkins's or Captain Hall's troop: and second—The men of Capt. Harris's troop had been a long time stationed on the Niagara frontier, were well acquainted with the river, and had procured a boat that carried over their troop, at one, or at farthest, two loads; whereas the other two troops were chiefly transported in small batteaux, that carried over, at most, only three horses, and frequently but two.

5. *Question.* Did you ever know an instance of cruelty in Brevet Col. Ball, to any of the non-commissioned officers

or men under his command since the adjournment of the Court of Inquiry, held at Avon, on the conduct of Brevet Lieut. Col. Ball?

Answer. Yes—I remember that on St. John's day, while we were still in huts, at Avon, Lieut. Col. Ball had the heads of serjeants Anderson, Norris, Smith and Reding, all of Capt. Hopkins's troop, shaved on the public parade, as close as a razor could shave them, and had them put into a waggon and trumpeted out of the camp, to the village of Avon—this too, without their being carried before a court martial:—some of the soldiers had shaved the tail of the colonel's horse, and he suspected those three persons to have been concerned in it. I recollect that the colonel offered his discharge to any soldier who would inform him who did shave his horse's tail—and I heard that Morris, a lad in Capt. Hopkins's troop, had given testimony against those three persons.

6. *Question.* What was the general opinion of the guilt of serjeant Anderson and Reding, respecting the crime alledged against them?

Answer. It was the general opinion through camp, and decidedly mine, that both serjeant Anderson and Reding were not guilty.

Question. What was the character of Morris, the young Informer, and what do you know of his animosity to serjeant Anderson?

Answer. I believe Morris to have been a very vicious boy, and I remember that he was once the cause of Anderson's being arraigned before a court martial; and that he swore positively to Anderson's stealing a valise—against which testimony the circumstances were so strong, and Anderson's character so good, that the court martial acquitted him.

8. *Question.* Were not men frequently transferred to my troop from the dismounted dragoons, and often, without descriptive lists accompanying them?

Answer. Yes.

9. *Question.* Do you recollect an order issued by Lieut. Col. Ball, while we were stationed at Avon, about the time when we commenced building huts, requiring a report of the number of carpenters in each troop?

Answer. Yes.

10. *Question.* By whom was the report prepared, and in what manner was the fact ascertained?

Answer. The report was prepared by me, as acting orderly serjeant. As many of the men were without descriptive lists, I went to each individual, whose trade I did not know, and took his word for it: The consequence was, that, many of the men who declared themselves to be carpenters, when put to work, proved to be only good axe-men.

AQUILA BROWN, late serjeant in the
U. S. Lt. Dragoons.

State of Maryland, } On this 8th day of February, 1816,
Harford County, ss. } personally appeared Aquila Brown
before me, the subscriber, a justice of the peace, in and for
said county, and made oath on the Holy Evangelists of Al-
mighty God, that the answers to the foregoing interrogato-
ries are just and true.—Sworn before

W. F. HALL.

The first seven of the foregoing questions were put to George Creiston, who was a blacksmith in the dragoons, and his answers to them were almost verbatim the same as searjeant Brown's; with this addition, in his answer to the last, he says, that, *he did not remember to have seen the young informer after he had given his information.* The 8th and 10th questions answered by serjeant Brown, were not put to Creiston; as, from his situation in the army, he was not likely to have any knowledge of the facts to which they related. Creiston's answers were sworn to before the same magistrate who administered the oath to Brown.*

* As Aquila Brown, late a sergeant, and George Creiston, a blacksmith in the U. States' dragoons, held such humble stations in the army, will it be amiss to subjoin to each of their depositions so important to me, the following:

D

Questions put to Lieut. J. L. Elbert, U. S. Lt. Dragoons, by Captain Henry Ball, on the subject of the charges and specifications preferred against him by Lieut. Col. James V. Ball?

1. Question. Do you know the hand-writing of Lieut. Col. J. V. Ball?

Answer. I do.

2. Question. Have you seen the charges preferred against me by Lieut. Col. J. V. Ball, in his hand-writing?

Answer. I have.

3. Question. Do you recollect when and where I joined the squadron commanded by Lieut. Col. Ball?

Answer. You joined the squadron commanded by Lieut. Col. Ball at Plattsburgh, on or about the 27th July last.

4. Question. Do you remember to have heard those orders specified in the first specification of the first charge, promulgated to the squadron—and if so, at what time?

Answer. I have seen the orders, but never heard of their promulgation.

Question. Do you know the manner in which the dragoon camp was laid out at Chazy, New-York, and the situation of my tent in the camp?

Answer. I do.

Question. Could I not, from the situation of my tent in that encampment, with the walls tied up, have a full view of my troop when lying on my back?

Answer. You could.

Question. Do the dragoon orders of the 1st June and

Of Aquila Brown, who deposes above, I will say, and challenge a contradiction, that previous to his entering service he was a respectable young man of Hartford county, against whom naught had ever been said. That during the time he was in service he was respected by his officers, and even during the tyrannical reign of Ball escaped persecution. His relations are numerous, respectable, and of independent circumstances. He is now a resident of Hartford county, where he is respected by all who know him.

George Creveston is a native of Pennsylvania; was enlisted by captain John Burd, to whom he is well known—he is also known to colonel Burn and colonel Woodford, to whom I refer for his known integrity of conduct as a man and a soldier. Indeed I might refer, generally, to all officers under whom he has served.

17th August, specify any particular position that an officer shall occupy during the stable hours?

Answer. Certainly not.

Question. When with the squadron on the march from Champion to Buffalo, in New-York, was not my attention to my troop equal to that of any captain of dragoons with whom you have served when on a march?

Answer. It was : and superior to that generally paid by captains to their troops on a march, with whom I have served.

Question. Did you not, during last fall, serve with the squadron formerly commanded by Major Woodford?

Answer. I did.

Question. How long have you been attached to my troop?

Answer. I joined your present troop at Plattsburg, while it was commanded by Captain Haig, of the U. S. Light Dragoons.

Question. Has not my general attention to my troop, in all situations, since you have served with me, been equal to that of any captain of dragoons with whom you have formerly done duty?

Answer. It has, at least ; and I have no hesitation in saying, that such of your conduct, as has come to my notice, has been more attentive to the discipline and duties of your troop, than that of any other officer of dragoons with whom I have done duty.

Question. Do you know any other thing relative to the other charges and specifications of Lieut. Col Ball, against me, other than what you have here answered to?

Answer. From my constant indisposition, I was frequently absent from the squadron, and know nothing of the charges of the specifications alluded to ; except what I have herein mentioned.

JOHN ELBERT,

Lt. U. S. L. Dragoons.

On this day, personally appeared before me, one of the justices of the peace, in the county of Niagara, in the state

of New-York, Lieutenant John Loyd Elbert, U. S. L. Dragoons, and deposed that the answers to the above interrogatories are just and true, to the best of his knowledge. Subscribed and sworn this 2th Nov. 1814, before me,

EDWARD S. STEWART, J. Peace.

Williams Ville, Nov. 12, 1814.

E

Questions put to Lieut. Clinton Wright. U. S Dragoons, by Captain Henry Hall, on the subject of the charges and specifications preferred against him by Lieut. Col. James V. Ball.

To the three first questions, which were the same as the first three put to Lieut. Elbert, the same answers were given as were made by him.

Question to the first charge and first specification. Do you remember to have heard those orders specified in the first specification of the first charge promulgated to the squadron; and if so, at what time?

Answer. I do not remember that they were ever promulgated: they never were on parade.

Questions to the first charge and second specification. Did you hear Lieut. Col. Ball upon our arrival at Black Rock, order Captain Hopkins and myself to take, each a boat (there being but two provided) and cross our respective troops with the least possible delay?

Answer. I did, distinctly.

Question. Did you not conceive, from the order, that the boat furnished me, was exclusively for the use of my troop, and that my duty was confined exclusively to crossing my troop?

Answer. I did, most clearly.

Question. Was the baggage of the field and staff ever attached to that of the troops—or under the command of the troop officers?

Answer. Never, within my knowledge.

Question. Do you conceive that the waggon, appropriat-

ed to the field and staff, and hospital stores, did carry the baggage of the field and staff and hospital stores ; or, was it, almost exclusively the baggage of Col. Ball ?

Answer. I do conceive that the *baggage waggon*, appropriated to the use of the field and staff and hospital stores, with the exception of the acting adjutant and quarter master's baggage, which I understood, was always conveyed in your waggon : that the hospital stores were of so little account that they were suffered to lie on the field at our camp at Fort Erie.

Questions to the first charge and third specification. Do you know the hour when I arrived at Fort Erie, on the morning that I crossed ?

Answer. I do not know the hour ; but I recollect that it was between tattoo and reveillee.

Questions to the second charge and specification. Do you know the manner in which the Dragoon camp was laid out at Chazy (New-York) and the situation of my tent in that camp ?

Answer. I do.

Question. Could I not, from the situation of my tent in camp, with the walls tied up, have a full view of my troop, when lying on my back ?

Answer. I think you could,

Question. Does the Dragoon order of the 1st June, and 17th of August, specify any particular position that an officer shall occupy during the stable hours ?

Answer. It does not.

Questions to the third charge and specification. Do you know my orderly serjeant Joseph Wheeler, and what is his character ?

Answer. I have known him for some time, and consider him to be an honest and faithful serjeant.

Question. Were you present at a conversation that took place between a citizen of Boonville and myself at Boonville, on the morning of our leaving that place, on our

march from Champion to Buffalo, New-York—and if so, what was the conversation?

Answer. I was present; and well remember that it was in consequence of an understanding, on your part, that this citizen had charged, on the most frivolous cause of suspicion, your orderly serjeant with being accessory to a theft, said to have been committed on the night the dragoons lay near Lowville. I recollect your asking him if he was the man who charged your orderly serjeant with stealing? and upon his answering in the negative, you replied that was well for him; for, if he had, and your orderly serjeant had not been permitted to chastise him, you would have done it.

Question. Was there any change in colonel Ball's conduct towards me, after this event; or was it different from what it had been at Plattsburg?

Answer. I did not discover any change in the colonel's conduct towards you; nor could I discover from his movements, when with you, that he thought your conduct exceptionable.

Questions to the 4th charge and specifications. Have you not served with colonel Burn and major Woodford, previously to your serving with brevet lieutenant colonel Ball?

Answer. I have.

Question. When under the command of colonel Burn and major Woodford, were such menial duties imposed on the officers as directed by the dragoon order specified in the first charge, third specification?

Answer. Never.

Question. Have you not been with the squadron under lieutenant colonel Ball ever since I joined it?

Answer. I have, with these exceptions: I preceded the mounted squadron, commanded by lieutenant colonel Ball, with my dismounted detachment, on the march from Elizabeth Town N. Y. to Lake George, where I was again joined by him; and I spent three days at Sackett's Harbor,

while the squadron lay at Champion, about the time that the army arrived there from Plattsburg.

CLINTON WRIGHT,
Lt. U. S. L. Dragoons.

On this 15th day of December, 1814, before me, one of justices of the peace, for the county of Ontario, state of New York, personally appeared lieutenant Clinton Wright U. S. Dragoons, and made oath, on the holy Evangelists of Almighty God, that the above deposition is just and true. Sworn and subscribed before me,

J. W. LAWRENCE, J. Peace.

F

Deposition of captain Samuel Hopkins, in relation to charges preferred by lieutenant colonel James V. Ball, against captain Henry Hall, at Fort Erie, on the —— day of October, 1814.

Question, by captain Hall. Are you acquainted with the hand writing of lieutenant colonel Ball?

Answer. I am.

Question. What do you know in relation to the first specification?

Answer. In relation to the charge, I know nothing: as to the specification, I can only answer generally.

Question. Did you suppose that the Dragoon order, alluded to in the charge, compelled you as a captain of Dragoons, to *stand by and see* your whole troop cleaned, watered and fed; or did you think that it only contemplated a general superintendence of these duties?

Answer. I had no idea that it intended to make me a *groom*; but supposed that it required me only to be responsible for the performance of the stable duties; until I was informed by lieutenant colonel Ball to the contrary.

Question. Do you know the manner in which the Dra-

goon camp was laid out in Chazy, New York; and the situation of my tent in that encampment?

Answer. I do remember; because I had reason to fear for my safety, whenever I walked among my horses, so close and irregularly were they confined: I also remember the situation of your tent in that encampment.

Question. Could I not, from the situation of my tent, with its walls tied up, have a full view of my troop, when lying on my back?

Answer. I believe that you could, in such a situation view the whole of your troop.

Question. Do the Dragoon orders of the 1st of June, and 17th of August, specify any particular position that an officer shall occupy during the stable hours?

Answer. Certainly not.

Question. From your experience, or reading on the subject, can you cite an order parallel to the above order, requiring similar duties of commissioned officers?

Answer. From experience, I can only say, that it has ever been my custom to assign to the non-commissioned officers of my troop, their respective squads; and to hold them accountable for the condition and appearance of the men and horses under their charge; and this usage was founded upon what I have heard, and believe to be the practice of cavalry in all countries.

Question. Have you not observed frequent violations of this order, by the chief of our squadron—its *author*; and have you not known, in consequence of its operation, the horses of your troop to be from morning until night frequently without water or feed?

Answer. I enquired of Lieutenant colonel Ball, whether or not I had the right under his various orders, to direct when my horses should be watered and fed. He answered that I had not. I consequently felt that I had no control over the watering and feeding of my troop; and my horses

have frequently suffered for want of the proper signals, which, I understood could only be directed by him, when in camp, and which he, either from negligence or design, omitted ordering.

Question. Are your horses as well attended to now, as when you were untrammelled by the Dragoon orders alluded to?

Answer. They are not; because I have no power to give them either water, feed, or the necessary attendance, except when ordered by lieutenant colonel Ball; and he frequently forgets their necessities, or wilfully neglects them.

Question. Do you know any thing of the second specification?

Answer. I do not: I remember that lieutenant colonel Ball ordered me, and through me, yourself, to get both our troops across the Niagara river in the best way which we could devise; assigning, to each of us, a boat for that purpose; and saying nothing about the baggage of the field, staff, and hospital stores.

Question. Would you, had you been left in my situation, agreeably to the above orders which you delivered to me, have felt yourself bound to have any thing to do with the baggage of the field, staff, and hospital stores?

Answer. Certainly not. The orders to me were confined to the crossing of *our own individual troops*; and had nothing to do with the field, staff, and hospital stores.

Question. Do you, from your knowledge, believe that either the baggage of the field, staff, or hospital stores had ever been committed to the heads of troops; or was it exclusively confined to the Quarter Master, or lieutenant colonel Ball himself?

Answer. It never had been assigned to my charge; and I believe, was always under the special direction of the acting Quarter Master, or colonel Ball himself.

Question. Did the waggon, assigned to the field, staff, and hospital department, contain, chiefly, the lieutenant colonel's own private baggage; or that of the staff and hospital?

Answer. I believe the acting adjutant conveyed his baggage in your waggon. I heard Dr. M'Call, acting surgeon to the squadron, frequently complain that he was destitute of hospital stores; which, I well remember, were deemed of so little value, that they were left exposed and unprotected in the camp: and hence presume that these waggons were, exclusively, for the use of lieutenant colonel Ball.

Question. Did you afterwards hear lieutenant colonel Ball complain of his uncomfortable situation, on the night when he was without his baggage; and, had he been comfortable, do you believe that, though the whole soldiery had been without shelter, I should have arrested?

Answer. I did hear him complain *grievously*, from laying one night in the frost; and believe that, if he had gotten his baggage, in time to have pitched his tent, and made his bed, he would not have arrested you.

Question. Do you know any thing about the 3d specification?

Answer. I remember that it was after 12 o'clock at night when you arrived in camp; you having been engaged until that hour of the second night, crossing the river; but not attending the stable hours myself, I cannot answer as to the truth of this charge. I recollect that lieutenant colonel Ball came to my tent in the morning, soon after reveillee; and, upon inquiring why I or my lieutenant did not attend the stable hours? I answered, that both myself and lieutenant Wright were on the sick report; and that lieutenant Anspach had crossed the river after midnight, and therefore ought to be indulged; to which he assented.

Question. In relation to charge 3d and its specification what do you know?

Answer. Nothing.

Question. What do you know relative to the 4th charge and its specification?

Answer, I can only answer, generally, to a very vague and general charge. I have never served with any officer who attended more particularly or punctually to his duty than yourself; and I believe that, to your exertions, more than to those of any other person, are we indebted for the timely and safe arrival of the squadron at Fort Erie.

S. G. HOPKINS,
Capt. U. S. Dragoons.

On the 15th day of December, one thousand eight hundred and fourteen, before me, one of the justices of the peace for the county of Ontario, state of New York, personally appeared captain Samuel G. Hopkins, light Dragoons, and made oath, on the Holy Evangelists of Almighty God, that the above deposition is just and true. Sworn and subscribed before me,

J. W. LAWRENCE, J. P.

G

Newburgh, April 10th, 1816.

Dear Hall,

Pardon me for this delay.—In the multiplicity of papers I was obliged to handle, official and others, at Washington, your letter was mislaid: but I assure you that this neglect of mine has been universal; excepting only cases of immediate and pressing necessity. Forgive me for saying that I never have considered yours, one of so serious a nature as to demand so much exertion as your nice sensibility has induced you to bestow upon it.—I mean to say, that at the time when you and your enemy left the service, your reputation was not tarnished; nor was it subject to any injury, in his power to throw upon it.

In answer to your inquiries.—I do remember, perfectly,

your repeated applications for a *court of inquiry*, to major general Izard; and that, on one of those, the general endorsed to this effect: "This request shall be granted as soon as the service will permit," and signed his name to it. I am not certain of the words of the endorsement, but I think that the last idea was either expressed in the endorsement, or given in explanation at the time.

I am, Sir, with great regard, your's truly,
C. K. GARDNER.

Capt. HENRY HALL
late of Lt. Dragoons
Havre de Grace, Md.

II

Troy, February 1st, 1815.

Dear Captain,

I received your favor of the 17th ult, forwarded to this place from Utica. I have read the enclosed depositions, &c. and regret very much to find that a misunderstanding has taken place between lieutenant colonel Ball, yourself, and the officers of his squadron. When I had the pleasure of serving with you, I always found you, not only ready to obey the orders, but ready to anticipate the wishes of your commanding officer. I never had the pleasure of serving with lieutenant colonel Ball, but, from what I have seen of him, and the general character I have heard, supposed him to be a strict and a good officer. If any person had been on the spot, friendly to both, when the difference, respecting duty arose between you, I have no doubt but it could have been amicably adjusted. What has been done, cannot be undone; yet I lament, sincerely, that any occurrence should have rendered his command so unpleasant to himself and you. If the court martial of which I am a member, had continued at Utica, I would certainly have paid you a visit, for a few days; but its removal to this place puts it out of my power at present. I heard, from officers

of the army, en passant, that the officers of the mounted squadron, were not on good terms with lieutenant colonel Ball; but I knew not the cause of the dispute, until I received your letter. I have always had a great friendship and regard for you; and it will be difficult to make any unfavourable impressions on my mind; as your conduct since I first saw you, has been always correct and gentlemanly.

I beg to be remembered to the officers on duty with you, and to remain, with sincere regard and esteem,

Dear Captain, your's truly,
JAMES BURN, Col. U. S. Lt. Dragoons.

Capt. HENRY H. LL, }
U. S. Lt. Dragoons. }

I

Extract of a letter from the Hon. Robert Wright to his son Clinton.

The memorial of captain Hall was delivered by general Hopkins, Mr. Archer, and myself. The secretary remarked, that the charges were frivolous, and that he thought captain Hall ought to take no further notice of Ball's conduct, *in that way.*"

K

I have some where among my papers, colonel C. K. Gardner's letter, stating this fact—colonel Gardner will remember having written me such a letter.

L

Washington, Dec. 16th, 1814.

Sir,

Your memorial has been presented to the secretary of War. He conceives that your honour does not require the institution of a court of inquiry. He stated to me,

without hesitation, that he considered the charges brought against you, by lieutenant colonel Ball, as entirely frivolous ; and that he considered you had gained a triumph over him, by his withdrawal of the charges which ought to be completely satisfactory to you. I am Sir, with great respect,

Your obedient servant,

STEVENSON ARCHER.

Capt. HENRY HALL, }
Avon, N. Y. }

M

Avon, June 26th, 1815.

Dear Sir,

Three days after your departure from this place, some of the men shaved or cut all the hair off colonel Ball's riding horse's tail ; and we have had the most unprecedented tyranny, since then, that you ever heard of. Through some underhand information from Bishop and Marris of captain Hopkins's troop, he confined serjeants Anderson, Norris, Smith, and Redding, and had them ironed, hand and foot ; and on the 24th inst. had them brought out on the public parade (without a trial) their hair cut off with a knife, their heads shaved, and finally, put into a waggon with a guard of a serjeant, corporal and 12 men ; had them taken, bare headed, in this manner, up to Avon, to the brick School house and back ; with all the trumpets sounding the *rogue's march* after them. His proceedings on this occasion, have even excited the indignation of the citizens. He and the Doctor went off yesterday to Buffalo. He says that he is coming back, but I doubt it very much ; for, as far as I can learn, it is the determination of the whole of the men to shave his head, and put him in irons, should he ever join the squadron again. His serving these men so, was so unexpected, that the men were thunderstruck ; but

from all appearances, they are determined to take revenge on his person; and it is ten to one if he escapes with his life. To this violence you know my aversion, but I fear the consequences. Should any thing important take place with us, I will let you know. Anspach's and Sanford's best respects to you. I am Sir, most respectfully

Your obedient servant,
H. STIRLING, Lieut. Lt. Dragoons.

Mr. HENRY HALL,
late Capt. U. S. Lt. Dragoons,
Havre de Grace, Md.

P. S. I forgot to mention, that he had serjeant Anderson gagged, for speaking while his head was shaving. Such treatment to a serjeant—without a trial—Surely the laws do not allow it! Never was military subordination so grossly violated.

N

Governor's Island, March 2d, 1816.

Sir,

The pamphlet you refer to in your letter of the 28th ult. I have never before heard of; and not having preserved copies of any of my letters to lieutenant colonel Ball, I am unable to determine the accuracy of your quotation; however, as I recollect having written something to colonel Ball, which bears a strong resemblance to it, if not in the same words, I am willing to admit the premises, and for your satisfaction to declare, that when I said, "from what "I have seen and heard of some of them, I believe they are "capable of doing any thing which gentlemen should not "do," I had no reference to you; as I had never seen or heard any thing which would authorize such a conclusion; as a private gentleman, I have every reason to believe your character is without reproach; but Sir, I wish to be expressly understood, without going further into the merits of the dispute between colonel Ball and his officers, or undertaking

to determine whence it originated. That the manner in which it was conducted, on the part of the officers, met with my decided disapprobation, and should they generally make applications similar to yours, I shall be compelled, however reluctantly, to justify that opinion to the world, by an exposition of their conduct during the campaign of 1814, and subsequently, while in winter quarters at Avon. I should however regret, that any personal difference should exist between us respecting the merits of a case, in which I am not at all interested; in which I am not disposed to attribute to you any errors of the heart, and respecting which I may possibly have received an improper bias, not having always judged from my own observation, but from the information of others. Very respectfully, I have the honour to be

Your humble servant,

J. S. SNELLING. Lieut. Col. U. S. Army.

Capt. HENRY HALL, }
Havre de Grace, Md. }

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